

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

IN RE:	)	CASE NO. 314-05365-KL-7
JASON ROBERT ADKINS	)	CHAPTER 7
DEBTOR	)	JUDGE KEITH M. LUNDIN
	)	
DAVID G. ROGERS, TRUSTEE	)	
PLAINTIFF,	)	
	)	
V.	)	ADVERSARY NO. 314-90338
	)	
ONDECK CAPITAL, INC.	)	
DEFENDANT.	)	

**AFFIDAVIT OF DAVID G. ROGERS IN SUPPORT OF DEFAULT JUDGMENT  
AGAINST DEFENDANT ONDECK CAPITAL, INC.**

STATE OF TENNESSEE   )  
COUNTY OF DAVIDSON   )

I, David G. Rogers, hereby state under oath that the following statements are true and correct:

1. I am the Trustee in the above-captioned Chapter 7 case and Plaintiff in the above-captioned adversary proceeding.
2. A Summons in this cause was issued by the Court on August 15, 2014.
3. In the Summons, the Court fixed a deadline of 30 days after the date of issuance for the Defendant to submit a motion or answer to the Complaint.
4. I mailed the Summons and Complaint to the Defendant on August 18, 2014. The Certificate of Service of the Summons and Complaint was filed with the Court (Docket Entry #4).
5. The Defendant has both failed to plead or otherwise defend in response to the Complaint within the time limit fixed by the Court.
6. To the best of my knowledge, the Defendant is not currently in military service.
7. To the best of my knowledge, the Defendant is not an infant or incompetent person.
8. In Plaintiff's Complaint, Plaintiff sought to recover from ONDECK CAPITAL, INC. the sum certain of \$21,528.54.
9. Further Affiant saith not.

*I declare under penalty of perjury that the foregoing is true and correct.*

  
David G. Rogers, Trustee

Executed this 30<sup>th</sup> day of September, 2014.

STATE OF TENNESSEE  
COUNTY OF DAVIDSON

Sworn to and subscribed before me  
on this 30<sup>th</sup> day of September, 2014.

/s/H M Bernstein  
Notary Public

My Commission Expires November 3, 2015.

Respectfully submitted,  
/s/David G. Rogers  
David G. Rogers, #011658  
Attorney for Trustee  
7100 Executive Center Drive, Suite 120  
Brentwood, Tennessee 37027  
(615) 377-7722 or fax (615) 377-7758  
dgrtrustee@comcast.net

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 30<sup>th</sup> day of September, 2014 to OnDeck Capital, Inc., 901 N Stuart Street, Suite 700, Arlington VA 22203.

/s/David G. Rogers  
David G. Rogers